

SECRET

JOURNAL

OFFICE OF LEGISLATIVE COUNSEL

Friday - 20 December 1974

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1. [] - GLC) Bob Waltheus, in the office of Max Friedersdorf, White House staff, called to advise me that the President was not going to sign any legislation until next week. He is expecting to sign the Foreign Assistance Authorization bill at that time. Waltheus said if there was any change in this he would let me know.

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2. [] - GLC) Called Frank Slatinshek, Chief Counsel, House Armed Services Committee, who called my attention to an interesting statement (obviously an error) in the statement on the part of the managers of the conference on the Foreign Assistance Act amendment dealing with "limiting intelligence activities." The second sentence in the second paragraph of that statement states "the basic differences were that the House section prohibited the use of Foreign Assistance Act funds only, applied to the CIA but not to other Government agencies, and specifically required that the reports be transmitted to the Foreign Affairs and the Foreign Relations Committees, among the committees with relevant jurisdiction." We both agreed that since the language of section 32 of the bill was clear in its applicability to the Foreign Assistance Act or any other act, that language was controlling. I mentioned the conference report language only because it might be useful at some time in the future in arguments over the scope of the section intended by the conferees. We also agreed that in this connection Chairman Lucien Nedzi's (D., Mich.) statement during the debate on the floor on this provision was even more useful. Nedzi extracted a statement from Chairman Thomas Morgan (D., Pa.) that it was the intent of this section to restate the agreement which Secretary Kissinger and Mr. Colby reached with the leadership of the House Armed Services and House Foreign Affairs Committees to brief appropriate representatives of those committees on activities conducted abroad by the Agency (exclusive of those involved in intelligence collection) related to foreign policy.

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3. [] - GLC) Late in the afternoon I met with Senator Stuart Symington (D., Mo.) and also with Guy McConnell, Professional Staff Member, Senate Appropriations Committee, and Ralph Preston, Senior Staff Member, House Appropriations Committee, to brief them on information we had received to the effect that Seymour Hersh planned to write a lengthy article in Sunday's New York Times on alleged CIA activities against American citizens during the anti-Vietnam war period. (See Memorandum for Record for details.)

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4. [] JGO) Met with Frank Sullivan, Senate Armed Services Committee, and delivered to him the maps he requested yesterday for use by Senator Sam Nunn (D., Ga.) in his trip to the Far East.

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5. [] JGO) Received a call from Jay Sourwine, Chief Counsel, Subcommittee on Internal Security, Senate Judiciary Committee, who told me that the Subcommittee would be interested, when available, in meeting

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but that his knowledge of matters in the states were limited. I told him I would check the matter and be back in touch with him late next week.

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6. [] - FMC) Received a call from the Legislative Reference Division, OMB, and was advised that the Enrolled Bill on S. 3418, the privacy bill, was ready for pick up by an Agency courier for our comments. Arrangements were made with the couriers for the bill to be picked up.

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Arrangements were also made to have the Agency comments delivered to OMB on the Enrolled []

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7. [] JGO) Talked to Bill Skidmore, OMB, concerning the Director's endorsement of [] Skidmore told me the information contained in the letter was more than adequate and there would be no problem as far as signing of the bill by the President. [] has been advised.

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8. [] JGO) Delivered to Jane Mathias, Secretary to George Ashworth, Senate Foreign Relations Committee staff, the interview with

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[] These were in follow up from our briefing of Senator Charles H. Percy (R., Ill.) and Ashworth and Charles F. Meissner, Senate Foreign Relations Committee staff, from Wednesday, 18 December.

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9. [] JGO) Delivered to the offices of Representatives William G. Bray (R., Ind.) and William E. Minshall (R., Ohio) personal letters from the Director on their defeat and retirement from the Congress.

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10. [] JGO) I met later with Representative William G. Bray (R., Ind.) and briefed him on Soviet steel armor plate for armored vehicles; the Iraqi conflict and the Arab/Israeli conflict. These were all questions raised by him during the last meeting of the Intelligence Subcommittee, House Armed Services Committee. This completes the follow ups with Representative Bray.

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11. [] JGO) Talked to Art Kuhl, Chief Clerk, Senate Foreign Relations Committee, concerning the questions raised by Senator Hubert H. Humphrey (D., Minn.) during Ambassador Carlucci's recent meeting [] gave Kuhl the current number of []. Kuhl indicated that he thought this would be more than an adequate response to Senator Humphrey along with such information as is provided by the Department. If there is anything further, he will advise.

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12. [] JGO) In the absence of Representative Robert E. Bauman (R., Md.) and his principal assistant, I delivered to his office Mr. Cary's letter of 20 December 1974 concerning [] and asked if there were any questions on the letter to contact me.

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13. [] JGO) Met with Darrell St. Claire, Assistant Secretary, Office of the Secretary of the Senate, and received from him a copy of an Enrolled Bill. I thanked St. Claire for his assistance.

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14. [] GLC) In a chance meeting, Ed Kenney, Senate Armed Services Committee staff, advised he would be accompanying Senators Thurmond and William Scott on a visit to the Far East leaving the day after Christmas. Kenney said he had talked with Clark McFadden and would like to have a briefing from some of our people on the situation in the Far East. He said he understood from McFadden that our people in the field were real pros and I gather from this that Thurmond and Scott might want to see our station chiefs along the way. We will arrange for someone to see Kenney on Monday.

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15. [] - LLM) During the day, had a couple of conversations with Jim Oliver, OMB, the main point of which concerned the difference between the conference report language and that of the bill with the former restricting the application of the intelligence activities limitation provision to those funded under the Foreign Assistance Act. I maintained with Oliver that while the language of the bill governs the conference language could be used to give a strained interpretation to the bill but doubted that any use could be made of it in the present circumstances. I told Oliver we are handicapped since we are working without benefit of the Enrolled Bill.

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16. [] LLM) Called Ev Bierman, and at his suggestion, Jack Brady, both of House Foreign Affairs Committee staff, both of whom wanted to duck the meaning of the conference report language on S. 3394, that section 32 (intelligence activities) applied only to activities funded under the Foreign Assistance Act. Brady suggested Marian Czarnecki, Chief of Staff, House Foreign Affairs Committee, be consulted but at this point, I turned the matter over to Mr. Cary for discussion with Frank Slatinshek, Chief Counsel, House Armed Services Committee, in view of the question of germaneness initially raised with him and Chairman Lucien Nedzi, Special Subcommittee on Intelligence, House Armed Services Committee.

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17. [] - LLM) In connection with trying to track down the Enrolled bill on S. 3394, had unproductive conversations with Bill Esponisa, OGC/AID, and Jim Oliver, OMB.

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18. [] - LLM) John Anderson, GAO, called to advise that he was sending a letter to the Director in connection with a request for Senator Charles Percy (R., Ill.). I again urged that he make the point clear that the Agency was not refusing the information to Senator Percy but rather was conforming to congressional guidelines which did not include GAO in the picture. Interestingly, Anderson said he needed the letter even though their legal advisors in GAO had, in an informal opinion, held that the Agency was on sound grounds in withholding the information from GAO. I again told Anderson that I had hoped we could avoid a letter and perhaps Guy McConnell, Professional Staff Member, Senate Appropriations Committee, if not Chairman John Stennis, Senate Armed Services Committee, or Chairman John McClellan, Senate Appropriations Committee, themselves, I am sure would be willing to confirm the guidelines which is the issue at stake, but Anderson persisted that they needed a letter to close out their records. I also reminded him that we had sent him the Director's statement on H. R. 15845 which confirmed the guidelines in an effort to headoff unnecessary exchange of correspondence.

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19. [REDACTED] LLM) Tom Reckford, Murphy Commission, called to discuss the ramifications of section 32 of S. 3394 (intelligence activities). I discussed some of the issues involved.

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Legislative Counsel

cc:
O/DDCI

[REDACTED]

Ex. Sec.
DDI DDA DDS&T
Mr. Warner
Mr. Thuermer
Mr. Lehman
Mr. Clarke
EA/DDO
Comptroller

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